

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

2:10-CV-810 JCM (LRL)

NICHOLAS SERINO,

Plaintiff,

v.

ROBERT J. FLORISI and ANGELE
FLORISI,

Defendants.

ORDER

Presently before the court is appellees Angele Florisi and Robert Florisi's motion for attorney's fees pursuant to Local Rule 54-16. (Doc. #16). An opposition was due by January 20, 2011, yet appellant Nicholas Serino has failed to file an opposition.

Appellant brought his untimely appeal from the bankruptcy court's order on May 27, 2010. (Doc. #1). On December 20, 2010, this court entered an order (doc. #15) dismissing the appeal and upholding the decision of the Honorable Bruce A. Markell. In the court's order, it denied the appellees' motion for attorney's fees without prejudice, due to appellees' failure to adhere to the requirements of the local rules.

Pursuant to Local Rule 54-16(b)(1) and (2), a party's motion for attorney's fees must include "[a] reasonable itemization and description of the work performed," and "[a]n itemization of all costs sought to be charged as part of the fee award and not otherwise taxable pursuant to LR 54-1 through LR 54-15." Further, a party's motion must contain a brief summary of specific aspects of the case and an attorney affidavit. LR 54-16(b)(3) and (c).

1 In the present motion for attorney's fees (doc. #16), appellees ask this court to award
2 attorney's fees in the amount of \$1,876.67, and properly comply with all of the local rules regarding
3 a request for attorney's fees. Specifically, as required by the local rules, appellees provided the court
4 with an itemization and description of the work the attorney performed, a brief summary of the fees
5 awarded in the bankruptcy court's order, and a spreadsheet of the time and labor expended on the
6 appeal. LR 54-16(b)(1) and (2). Further, appellees submitted a brief summary with regards to the
7 novelty and difficulty of the case, the skill required, the attorney's customary fee, and the experience,
8 reputation and ability of the attorney. LR 54-16(3)(A)-(L).

9 In addition, appellees provided the court with an affidavit of attorney Christina A.
10 DiEdoardo, which authenticated the information in the motion, and confirmed that the bill had been
11 reviewed and edited and that the fees and costs charged were reasonable. LR 54-16(c).

12 Pursuant to Local Rule 54-16(e), a court may grant a motion if no opposition has been filed.
13 Here, not only does the appellees' motion (doc. #16) comply with the requirements of the local rules,
14 but appellant has failed to file an opposition setting forth any specific charges in dispute. Therefore,
15 this court is inclined to grant appellees' motion for attorney's fees in the amount of \$1,876.67.

16 Accordingly,

17 IT IS HEREBY ORDERED ADJUDGED AND DECREED that appellees Angele Florisi
18 and Robert Florisi's motion for attorney's fees in the amount of \$1,876.67 (doc. #16) be, and the
19 same hereby is, GRANTED.

20 DATED February 8, 2011.

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23 UNITED STATES DISTRICT JUDGE